

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

QUINTON WILLIAMS,)	CASE NO:
)	
Plaintiff,)	JUDGE
)	
v.)	
)	
PASCHALL TRUCK LINES, INC., et)	<u>DEFENDANT PASCHALL TRUCK LINES,</u>
al.,)	<u>INC.'S NOTICE OF REMOVAL OF CIVIL</u>
)	<u>ACTION TO THE UNITED STATES</u>
Defendants.)	<u>DISTRICT COURT FOR THE SOUTHERN</u>
)	<u>DISTRICT OF OHIO</u>

Defendant, Paschall Truck Lines, Inc. (“Paschall Truck Lines”), by and through undersigned counsel and pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446, respectfully requests that this Court remove this action from the Court of Common Pleas, Franklin County, Ohio to the United States District Court for the Southern District of Ohio. In support of this request, Paschall Truck Lines states as follows:

1. Paschall Truck Lines is a defendant in a civil action pending in the Court of Common Pleas, Franklin County, Ohio, styled *Quinton Williams v. Paschall Truck Lines, Inc., et al.*, Franklin County Common Pleas Case No. 22CV000260. Plaintiff filed this action on January 12, 2022.¹ The Clerk of Courts for the Court of Common Pleas, Franklin County, Ohio, issued a Summons upon Paschall Truck Lines on January 13, 2022.²

¹ A true and accurate copy of the Summonses and Plaintiff's Complaint are attached hereto as Exhibit “A”.

² See the docket print out attached as Exhibit “B”.

2. Paschall Truck Lines received a copy of the Summons and Complaint on or about January 18, 2022. The docket of the state court action does not show that Craig Siegel (“Mr. Siegel”), the only other defendant in the state court action, has been served. (See Ex. “B”.) The Summons and Complaint constitute all process, pleadings, and orders served upon or received by Paschall Truck Lines in the state court action.

3. Paschall Truck Lines files this Notice of Removal pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446.

4. Plaintiff’s action stems from a motor vehicle accident on August 30, 2019, in the City of Columbus, Ohio. Plaintiff has asserted claims for personal injuries and damages, including allegations that he sustained and will continue to suffer:

- a. severe injuries to his head, neck, and back;
- b. physical pain, mental anguish, and emotional distress;
- c. property damage;
- d. loss of earnings and earning capacity; and
- e. impairment in the use of the affected areas of his body and a reduction in the quality and enjoyment of his life.

(See Ex. “A”.)

5. Upon information and belief, Plaintiff is an individual of the United States who resides in Canal Winchester, Ohio. As such, Plaintiff is an individual citizen of the State of Ohio. Upon information and belief, Plaintiff is not an individual citizen of any other state. (See Ex. “A”.)

6. Paschall Truck Lines is a corporation incorporated under the laws of the State of Kentucky.³ Paschall Truck Lines, Inc. maintains its principal place of business in Murray, Kentucky. (See Ex. “C”.) As such, Paschall Truck Lines, Inc. is a corporate citizen of the State of Kentucky. Paschall Truck Lines is not a corporate citizen of any other state.

7. Mr. Siegel resides in Kiln, Mississippi, and is an individual citizen of the State of Mississippi. Upon information and belief, Mr. Siegel is not an individual citizen of any other state. (See Ex. “A”.)

8. Plaintiff’s Complaint seeks an amount above \$25,000.00, and Plaintiff claims his “damages and injuries are permanent” as a result of this accident. (See Ex. “A”.) Therefore, upon information and belief, the amount in controversy in this matter exceeds \$75,000.00, exclusive of interest and costs as required by 28 U.S.C. §1332(a).

9. Given the complete diversity of the parties’ citizenship and the amount in controversy, this Court has original subject-matter jurisdiction over this action pursuant to 28 U.S.C. § 1332. As such, this action is subject to removal under 28 U.S.C. § 1441.

10. Paschall Truck Lines has filed this Notice of Removal within thirty (30) days from the date on which they received the Plaintiff’s Complaint. Therefore, it is timely pursuant to 28 U.S.C. §1446.

11. Paschall Truck Lines has served a copy of this Notice of Removal upon all parties, as well as filed it with the appropriate state court, both pursuant to 28 U.S.C. §1446.

12. Paschall Truck Lines asserts its right to a trial by jury.

13. Paschall Truck Lines does not waive any jurisdictional or other defenses available to it.

³ See the Kentucky Secretary of State printout attached as Exhibit “C”.

14. Paschall Truck Lines reserves the right to supplement this Notice of Removal and/or present additional arguments supporting its entitlement to removal.

WHEREFORE, Paschall Truck Lines, Inc. prays for the removal of the above-referenced civil action from the Court of Common Pleas, Franklin County, Ohio, to the United States District Court for the Southern District of Ohio.

Respectfully submitted,

/s/Samuel N. Dodoo

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of February, 2022, the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by electronic and/or regular U.S. Mail. Parties may access this filing through the Court's system.

/s/Samuel N. Dodoo

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